UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/586,504	02/26/2007	Claude Daloz	5284-74PUS	4240	
Thomas Langer	7590 02/15/201	EXAMINER			
Cohen, Pontani, Lieberman & Pavane LLP 551 Fifth Avenue, Suite 1210 New York, NY 10176			ELLIOTT IV, BENJAMIN H		
			ART UNIT	PAPER NUMBER	
				2474	
			MAIL DATE	DELIVERY MODE	
			02/15/2011	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)			
Office Ashieu Occurrence	10/586,504	DALOZ ET AL.			
Office Action Summary	Examiner	Art Unit			
	BENJAMIN ELLIOTT	2474			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).					
Status					
 Responsive to communication(s) filed on <u>07 December 2010</u>. This action is FINAL. 2b) ☐ This action is non-final. Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i>, 1935 C.D. 11, 453 O.G. 213. 					
Disposition of Claims					
 4) Claim(s) 7-18 is/are pending in the application. 4a) Of the above claim(s) 1-6 is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 7-18 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. 					
Application Papers					
9) The specification is objected to by the Examine 10) The drawing(s) filed on is/are: a) acc Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Ex	epted or b) objected to by the Edrawing(s) be held in abeyance. See iion is required if the drawing(s) is obj	e 37 CFR 1.85(a). ected to. See 37 CFR 1.121(d).			
Priority under 35 U.S.C. § 119					
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 					
Attachment(s) 1)	4) 🔲 Interview Summary	(PTO-413)			
2) Notice of Preferences Cried (PTO-932) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date	Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:	ate			

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DETAILED ACTION

1. Claims 1-6 have been canceled. Claims 7-18 have been added. No new matter has been added. Claims 7-18 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-6 have been considered but are most in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

- 3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 4. The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
 - 1. Determining the scope and contents of the prior art.
 - 2. Ascertaining the differences between the prior art and the claims at issue.
 - 3. Resolving the level of ordinary skill in the pertinent art.
 - 4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
- 5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent Application Publication 2003/0131258 A1 to Kadri et al (hereinafter "Kadri") in view of United States Patent 6,631,416 B2 to Bendinelli et al (hereinafter "Bendinelli").

Regarding Claim 7, Kadri discloses a method for communication between a first computer terminal of a private Internet Protocol (IP) network and a second computer terminal of a public IP network, the method comprising: initializing a connection, by a mediation system which is associated with the first computer terminal in the private IP network, to a server in the public IP network (Kadri: Figure 1; Examiner corresponds the mediation system to the gateway device (150) and internal contact point (160) of Kadri. Examiner corresponds the private IP network to the network behind firewall (110) of Kadri. [0021-0022]; disclosed is a private IP network. [0029]; Examiner correlates the server to the relay server (120) of Kadri that forms a connection to the gateway in the private network.);

establishing, by the mediation system, a communications tunnel between the mediation system and the dedicated service port of the server, through a network boundary equipment (Kadri: Figure 2; the gateway interface (210) of the internal

contact point establishes a tunnel between the relay server and the gateway of the private network.), to make an IP interface of the mediation system available to the second computer terminal via the control server (Kadri: [0029-0030]; the relay server has interfaces for external peers (which Examiner correlates to the second computer terminal) for connection to internal peers of the private network. See [0021-0022] for IP connections through the firewall.).

Kadri does not expressly disclose configuration routines between a gateway and a server.

In a similar field, Bendinelli discloses a method and system for setting up communication between terminals in a public network with terminals in a private network via a mediation point (Bendinelli: Col. 10, line 60 through Col. 11, line 8).

Bendinelli discloses a network operations center comprising at least a tunnel interface module, a controller module, a public web server, and an administrative server (Bendinelli: Figure 6A and corresponding description in Col. 20, line 14 through Col. 24, line 56). The network operations center provides information necessary for gateways to establish virtual private networks across the Internet. The network operations center may also comprise a firewall (Bendinelli: Col. 24, lines 33-42). It is further suggested by Bendinelli that each of the gateways may comprise a firewall in order to mask their real IP address (Bendinelli: Col. 23, lines 48-55). The Examiner corresponds the mediation system to any gateway of Bendinelli, the control server to any and all components of the network operations center of Bendinelli, and the network boundary equipment to a firewall of Bendinelli. Bendinelli further discloses **transmitting information**, by the

mediation system, to the control server relating to the configuration of the mediation system in the private network (Bendinelli: Col. 37, lines 1-11; at least a first gateway establishes a control path with the network operations center for exchange of control messages. Examples of configuration information are described in Col. 17, lines 37-49, Col. 21, lines 30-38 (Examiner also correlates authentication information with configuration information), and Col. 31, lines 5-21 (including gateways' firewall information). Examiner further correlates a dedicated service port of a control server to a predetermined TCP port of the network operations center as described in Col. 29, lines 30-45; a tunnel is established between the network operations center and the gateway through a dedicated TCP port on the control path.); and performing an operation, by the control server, on the mediation system via the communications tunnel established through the network boundary equipment (Bendinelli: Col. 37, line 53 through Col. 38, line 12 and Col. 39, line 39 through Col. 40, line 40; network operations center controls the firewall(s) to turn "on" or "off" to allow traffic to pass through the established tunnels.).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of communicating between terminals as disclosed by Kadri to include control established by a terminal as disclosed by Bendinelli to connect a plurality of gateways in order to establish a virtual private network in the analogous field of firewall tunneling. This is beneficiary to the method in that unnecessary overhead in setting up virtual private networks is reduced (Bendinelli: Col. 3, lines 30-46).

Regarding Claim 15, Kadri discloses a system for communication between a first computer terminal of a private Internet Protocol (IP) network and a second computer terminal of a public IP network, the private IP network comprising network boundary equipment, the system comprising: a control server which is associated with the second computer terminal in the public IP network, the control server being configured to perform an operation on the mediation system via a communications tunnel established through the **network boundary equipment** (Kadri: Figure 1; Examiner corresponds the mediation system to the gateway device (150) and internal contact point (160) of Kadri. Examiner corresponds the private IP network to the network behind firewall (110) of Kadri. [0021-0022]; disclosed is a private IP network. [0029]; Examiner correlates the server to the relay server (120) of Kadri that forms a connection to the gateway in the private network.); and a mediation system which is associated with the first computer terminal in the private IP network, and which is configured to initialize a connection to a dedicated service port of the control server in the public IP network (Kadri: Figure 2; the gateway interface (210) of the internal contact point establishes a tunnel between the relay server and the gateway of the private network.), wherein the mediation system is configured to establish the communications tunnel between the mediation system and the dedicated service port of the control server (Kadri: Figure 2; the gateway interface (210) of the internal contact point establishes a tunnel

network boundary equipment, to make an IP interface of the mediation system available to the second computer terminal via the control server (Kadri: [0029-0030]; the relay server has interfaces for external peers (which Examiner correlates to the second computer terminal) for connection to internal peers of the private network. See [0021-0022] for IP connections through the firewall.).

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Kadri does not expressly disclose configuration routines between a gateway and a server.

In a similar field, Bendinelli discloses a method and system for setting up communication between terminals in a public network with terminals in a private network via a mediation point (Bendinelli: Col. 10, line 60 through Col. 11, line 8).

Bendinelli discloses a network operations center comprising at least a tunnel interface module, a controller module, a public web server, and an administrative server (Bendinelli: Figure 6A and corresponding description in Col. 20, line 14 through Col. 24, line 56). The network operations center provides information necessary for gateways to establish virtual private networks across the Internet. The network operations center may also comprise a firewall (Bendinelli: Col. 24, lines 33-42). It is further suggested by Bendinelli that each of the gateways may comprise a firewall in order to mask their real IP address (Bendinelli: Col. 23, lines 48-55). The Examiner corresponds the mediation system to any gateway of Bendinelli, the control server to any and all components of the network operations center of Bendinelli, and the network boundary equipment to a firewall of Bendinelli. Bendinelli further discloses and the mediation system is

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configured to transmit information to the control server relating to the configuration of the mediation system in the private network (Bendinelli: Col. 37, lines 1-11; at least a first gateway establishes a control path with the network operations center for exchange of control messages. Examples of configuration information are described in Col. 17, lines 37-49, Col. 21, lines 30-38 (Examiner also correlates authentication information with configuration information), and Col. 31, lines 5-21 (including gateways' firewall information). Examiner further correlates a dedicated **service port of a control server** to a predetermined TCP port of the network operations center as described in Col. 29, lines 30-45; a tunnel is established between the network operations center and the gateway through a dedicated TCP port on the control path.), and performing an operation, by the control server, on the mediation system via the communications tunnel established through the network boundary equipment (Bendinelli: Col. 37, line 53 through Col. 38, line 12 and Col. 39, line 39 through Col. 40, line 40; network operations center controls the firewall(s) to turn "on" or "off" to allow traffic to pass through the established tunnels.).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of communicating between terminals as disclosed by Kadri to include control established by a terminal as disclosed by Bendinelli to connect a plurality of gateways in order to establish a virtual private network in the analogous field of firewall tunneling. This is beneficiary to the method in that unnecessary overhead in setting up virtual private networks is reduced (Bendinelli: Col. 3, lines 30-46).

7. Claims 8-14 and 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kadri, in view of Bendinelli, and further in view of United States Patent Application Publication 2004/0028035 A1 to Read (hereinafter "Read").

Regarding Claim 8, the combination of Kadri and Bendinelli discloses the method of claim 7, but does not expressly disclose the operation of opening a port by a control server.

Read discloses a communication system for handling Internet calls between a public network and a private network separated by a NAT (Read: Abstract). Read further discloses an operation is opening a port of the mediation system, the operation comprising: receiving, by the mediation system, from the control server, an open port request comprising an IP address of the mediation system and a port number of the mediation system to be opened (Read: [0127]; external server controls proxy interface agent of private network to open or close ports.); and sending, by the mediation system, to the control server, an identifier of the opened port and an assigned port number of the opened port (Read: [0140]; proxy indicates to the external server the open port number.).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Kadri and Bendinelli to include control signaling designating the operation of opening a port external to the private network as disclosed by Read since all the claimed elements were known at the time the invention was made and combining these elements according to known methods would have

yielded nothing more than predictable results, i.e., network address translation across a plurality of protocols.

Read discloses wherein the operation is redirecting a port of the mediation

Regarding Claim 9, the combination of Kadri and Bendinelli discloses the method of claim 7, but does not expressly disclose redirection.

system, the operation comprising: receiving, by the mediation system, from the control server, a redirect request comprising an IP address of the mediation system and a port number of the mediation system to be redirected (Examiner corresponds this to a direct connection between two gateways rather than a proxy, or intermediate device, intervening. Read; [0127]; external server controls proxy interface agent of private network to open or close ports. Further suggested by Read in that filtering rules allow changes in port numbers ([0030-0031]). Also see [0127] of Read for allocation of ports.); and sending, by the mediation system, to the control server, an identifier of the redirected port of the mediation system and an assigned port number of the redirected port of the mediation system (Read: [0140]; proxy indicates to the external server the open port number.), wherein packets arriving at the redirected port of the mediation system are relayed to the dedicated service port of the control server using user datagram protocol (UDP) (Read: Table 1 on page 8 and [0126]; UDP connections through external server.).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Kadri and Bendinelli to include control

signaling designating the operation of opening a port external to the private network as disclosed by Read since all the claimed elements were known at the time the invention was made and combining these elements according to known methods would have yielded nothing more than predictable results, i.e., network address translation across a plurality of protocols.

Regarding Claim 10, the combination of Kadri and Bendinelli discloses the method of claim 7, but does not expressly disclose connect request to previously-opened ports.

Read discloses wherein the operation is connecting a port of the mediation system to a port of the private network, the operation comprising: receiving, by the mediation system, from the control server, a connect port request comprising an identifier of a previously-opened port of the mediation system and an IP address and port number to which connection is requested in the private network (Read: [0139-0140] and [0075]; previously-opened ports may be connected.).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Kadri and Bendinelli to include control signaling designating the operation of opening a port external to the private network as disclosed by Read since all the claimed elements were known at the time the invention was made and combining these elements according to known methods would have yielded nothing more than predictable results, i.e., network address translation across a plurality of protocols.

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Regarding Claim 11, the combination of Kadri and Bendinelli discloses the method of claim 7, but does not expressly disclose make server requests.

Read discloses wherein the operation is making a port of the mediation system a server port, the operation comprising: receiving, by the mediation system, from the control server, a make server request comprising an identifier of a previously-opened port of the mediation system for which configuration as a server port is requested (As suggested by Read in [0113-0116] in that during protocol negotiations, either the external server or the proxy may make the determination who will be the master (server) and who will be the slave (client).).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Kadri and Bendinelli to include control signaling designating the operation of opening a port external to the private network as disclosed by Read since all the claimed elements were known at the time the invention was made and combining these elements according to known methods would have yielded nothing more than predictable results, i.e., network address translation across a plurality of protocols.

Regarding Claim 12, the combination of Kadri and Bendinelli discloses the method of claim 7, but does not expressly disclose close port requests.

Read discloses wherein the operation is closing a port of the mediation system, the operation comprising:

receiving, by the mediation system, from the control server, a close port request comprising an identifier of a previously-opened port of the mediation system for

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which closing is requested (Read: [0127]; external server controls proxy interface agent of private network to open or close ports. [0139-0140] and [0075]; previously-opened ports may be connected. Also, [0105] and [0117] for identifiers.).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Kadri and Bendinelli to include control signaling designating the operation of opening a port external to the private network as disclosed by Read since all the claimed elements were known at the time the invention was made and combining these elements according to known methods would have yielded nothing more than predictable results, i.e., network address translation across a plurality of protocols.

Regarding Claim 13, the combination of Kadri and Bendinelli discloses the method of claim 7, but does not expressly disclose relay requests.

Read discloses wherein the operation is performing packet relay at a port of

the mediation system, the operation comprising:
receiving, by the mediation system, from the control server, a packet relay
request comprising an identifier of a previously-opened port of the mediation
system and an IP address and port number to which forwarding is requested in
the private network (Read: [0127]; external server controls proxy interface agent of
private network to open or close ports. [0139-0140] and [0075]; previously-opened ports
may be connected. Also, [0105] and [0117] for identifiers. [0127]; relaying function is
implemented only after protocol aware signaling is performed.).

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It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Kadri and Bendinelli to include control signaling designating the operation of opening a port external to the private network as disclosed by Read since all the claimed elements were known at the time the invention was made and combining these elements according to known methods would have yielded nothing more than predictable results, i.e., network address translation across a plurality of protocols.

Regarding Claim 14, the combination of Kadri and Bendinelli discloses **the method of claim 7**, but does not expressly disclose relay operations.

Read discloses wherein the operation is performing packet relay at a port of the mediation system, the operation comprising:

receiving, by the mediation system, a packet from the private network at a

previously- opened port of the mediation system (Read: [0127] (previously stated in

rejection of claim 13). [0129]; logical channels (to ports) are relayed from terminals to

proxy agent (in private network). Also see [0133] wherein the proxy agent then relays to

the terminal using UDP connection.); and

sending, by the mediation system, a packet relay statement comprising an identifier of the previously-opened receiving port of the mediation system, an IP address and a port number of a sending port of the private network, and the received packet (Read: [0127]; external server controls proxy interface agent of private network to open or close ports. [0139-0140] and [0075]; previously-opened ports may

open port number.).

be connected. Also, [0105] and [0117] for identifiers. [0016-0020] IP address/port pair mapping.).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Kadri and Bendinelli to include control signaling designating the operation of opening a port external to the private network as disclosed by Read since all the claimed elements were known at the time the invention was made and combining these elements according to known methods would have yielded nothing more than predictable results, i.e., network address translation across a plurality of protocols.

Regarding Claim 16, the combination of Kadri and Bendinelli discloses the system of claim 15, but does not expressly disclose the operation of opening a port by a control server.

Read discloses wherein the operation is opening a port of the mediation system, and wherein the mediation system is configured to:

receive from the control server, an open port request comprising an IP address of the mediation system and a port number of the mediation system to be opened (Read: [0127]; external server controls proxy interface agent of private network to open or close ports.); and

send to the control server, an identifier of the opened port and an assigned port number of the opened port (Read: [0140]; proxy indicates to the external server the

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Kadri and Bendinelli to include control signaling designating the operation of opening a port external to the private network as disclosed by Read since all the claimed elements were known at the time the invention was made and combining these elements according to known methods would have yielded nothing more than predictable results, i.e., network address translation across a plurality of protocols.

Regarding Claim 17, the combination of Kadri and Bendinelli discloses the system of claim 15, but does not expressly disclose connect request to previously-opened ports.

Read discloses wherein the operation performing packet relay at a port of the mediation system, and wherein the mediation system is configured to receive from the control server a packet relay request comprising an identifier of a previously-opened port of the mediation system and an IP address and port number to which forwarding is requested in the private network (Read: [0139-0140] and [0075]; previously-opened ports may be connected. Also, [0105] and [0117] for identifiers. [0016-0020] IP address/port pair mapping).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Kadri and Bendinelli to include control signaling designating the operation of opening a port external to the private network as disclosed by Read since all the claimed elements were known at the time the invention was made and combining these elements according to known methods would have

yielded nothing more than predictable results, i.e., network address translation across a plurality of protocols.

Regarding Claim 18, the combination of Kadri and Bendinelli discloses the system of claim 15, but does not expressly disclose relay operations.

Read discloses wherein the operation is performing packet relay at a port of the mediation system, and wherein the mediation system is configured to: receive a packet from the private network at a previously-opened port of the mediation system (Read: [0127] (previously stated in rejection of claim 13). [0129]; logical channels (to ports) are relayed from terminals to proxy agent (in private network). Also see [0133] wherein the proxy agent then relays to the terminal using UDP connection.); and send a packet relay statement comprising an identifier of the previously-opened receiving port of the mediation system, an IP address and a port number of a sending port of the private network, and the received packet (Read: [0127]; external server controls proxy interface agent of private network to open or close ports. [0139-0140] and [0075]; previously-opened ports may be connected.

Also, [0105] and [0117] for identifiers. [0016-0020] IP address/port pair mapping.).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the method of Kadri and Bendinelli to include control signaling designating the operation of opening a port external to the private network as disclosed by Read since all the claimed elements were known at the time the invention was made and combining these elements according to known methods would have

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yielded nothing more than predictable results, i.e., network address translation across a plurality of protocols.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BENJAMIN ELLIOTT whose telephone number is (571)270-7163. The examiner can normally be reached on Monday thru Friday, 8:00 AM to 4:30 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on (571)272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aung S. Moe/ Supervisory Patent Examiner, Art Unit 2474 BENJAMIN ELLIOTT Examiner Art Unit 2474